

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ASSURED GUARANTY MUNICIPAL CORP.,
f/k/a FINANCIAL SECURITY ASSURANCE INC.

Plaintiff,

vs.

FLAGSTAR BANK, FSB; FLAGSTAR CAPITAL
MARKETS CORPORATION; and FLAGSTAR
ABS, LLC,

Defendants.

Case No. 11-CV-2375 (JSR)

**DECLARATION OF JACOB BUCHDAHL IN OPPOSITION TO DEFENDANTS'
MOTIONS *IN LIMINE* AND TO EXCLUDE EXPERT TESTIMONY**

JACOB W. BUCHDAHL declares:

1. I am an attorney admitted to the Bar of the State of New York and the Bar of this Court, and I am a partner at Susman Godfrey L.L.P., counsel for plaintiff Assured Guaranty Municipal Corp. I make this Declaration in opposition to Flagstar's motion *in limine* and to exclude plaintiff's expert testimony.

2. Attached hereto as Exhibit A is a true and correct copy of the transcript of the September 8, 2011 hearing in this matter.

3. Attached hereto as Exhibit B is a true and correct copy of the November 14, 2011 expert report of Joseph Mason.

4. Attached hereto as Exhibit C is a true and correct copy of excerpts of the deposition transcript of R. Walzak dated December 19, 2011.

5. Attached hereto as Exhibit D is a true and correct copy of excerpts of the deposition transcript of J. Mason dated January 14, 2012.

6. Attached hereto as Exhibit E is a true and correct copy of a transcript of a March 15, 2011 hearing in *Syncora Guarantee v. EMC Mortgage Corporation*, 9-CV-03106, Dkt. 73 (S.D.N.Y.).

Dated: October 2, 2012
New York, New York

Respectfully Submitted,

/s/ Jacob W. Buchdahl
Jacob W. Buchdahl
Arun Subramanian
Warren Burns
Joseph Portera
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